



1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 108236-119)

In re Application of:

COLUCCI et al.

) Examiner: Saunders, D.

Serial No: 09/476,485

)  
) Art Unit: 1644

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Filed: December 30, 1999

SEP 12 2002

For: PROGENITOR CELL PRESERVATION  
FACTORS AND METHODS FOR AND  
PRODUCTS OF THEIR USE

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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: USPTO, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on the date indicated below.

Date: September 6, 2002

Patricia Corrigan  
Patricia Corrigan

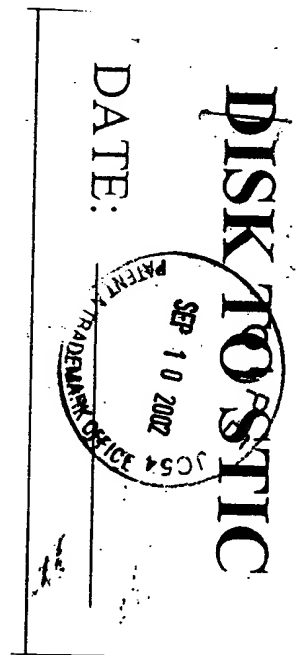
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TRANSMITTAL LETTER

Sir:

Enclosed are the following for appropriate action:

1. Reply;
2. Statement Under 37 CFR § 1.821(f);
3. Written copy of Sequence Listing information;
4. Diskette containing Sequence Listing information;
5. Copy of Office Communication dated August 7, 2002; and
6. Return postcard.

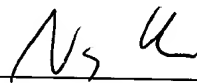


USSN 09/476,485

Attorney Docket 108236.119

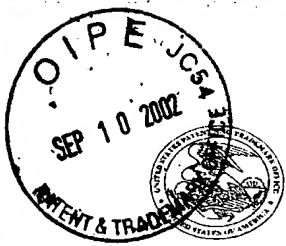
No fees are believed to be due in connection with the filing of this Sequence Listing.  
However, the Commissioner is hereby authorized to debit Deposit Account No. 08-0219 for any  
required fee necessary to maintain the pendency of this application.

Respectfully submitted,  
HALE AND DORR LLP

  
\_\_\_\_\_  
Nancy Chiu, Ph.D.,  
Reg. No. 43,545  
Agent for Applicant

Date: Sept. 6. 2002

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Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (fax)



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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/476,485	12/30/1999	M. Gabriella Colucci	108.236.119	7906

7590 08/07/2002  
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60 STATE STREET  
BOSTON, MA 02109

**HALE AND DORR LLP**

**AUG 12 2002**

**INTELLECTUAL PROPERTY  
DEPARTMENT**

EXAMINER	
SAUNDERS, DAVID A	
ART UNIT	PAPER NUMBER
1644	

DATE MAILED: 08/07/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

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**HALE & DORR DOCKETING**

RE: 108236.119 US1  
Action Date: 9.7.02  
Action to be Taken: "O/O"  
Docketed By: 9 On: 8.12.02

Art Unit: 1644

The reply filed 12/31/01 is not fully responsive to the Office communication mailed 7/3/01 for the reason(s) set forth below or on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

See attached "NOTICE TO COMPLY...." and attached "CRF Problem Report".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A Saunders, PhD whose telephone number is 703-308-3976. The examiner can normally be reached on Mon. from 8:15 to 5:45. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan, can be reached on (703) 308-3973. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

*David A Saunders*  
DAVID SAUNDERS  
PRIMARY EXAMINER  
ART UNIT 182 / 644

APPLICANT'S COPY

Application No.: 476,485



**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

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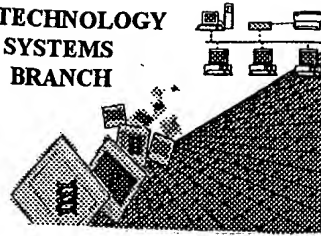
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## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/476,485  
Filing Date: 12/30/1999  
Date Processed by STIC: 1/19/2002

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STIC Contact: Mark Spencer, 703-308-4212

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### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission

**User Manual - ePAVE)**

2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202

3. **Hand Carry directly to:**

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name,  
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202

Or

U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,  
2011 South Clark Place, Arlington, VA 22202

4. **Federal Express, United Parcel Service, or other delivery service to:** U.S. Patent and Trademark Office,  
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09/476, 485

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*Onscreen message when STIC PC  
tried to read submitted disk*